

From: Joshua Smith
To: Microsoft ATR
Date: 1/23/02 10:18pm
Subject: Microsoft Settlement

To Whom It May Concern:

I thought it would be appropriate for me to comment on the Microsoft Settlement that has been proposed. I disagree on many points with the Settlement. I have seen many holes pointed out in it, and understand what harm Microsoft has done to competition in many software products, from Operating Systems to Internet browsers to media players.

I am a computer science student (Junior) at Michigan State University. I understand many of the technical details (at least on the surface), and I have used many of Microsoft's competitors' products, including Netscape (6.2 & Mozilla 9.x), Winamp, RealPlayer, DivX's "the Playa", and even the Linux operating system.

I understand that Microsoft uses many secret API's, and that the PFJ doesn't force Microsoft to publish these API's, other than the ones that allow interaction between the Microsoft Windows OS and it's 'middleware'. It would be more appropriate to ensure that Microsoft shared all of the API's, including the ones that allowed interaction between Windows and it's non-middleware products. I understand how hard it is to make a program like WINE work, an emulator designed to run Windows programs in Linux, and it would be much easier if all of the Windows API's were published.

Microsoft Middleware must be allowed to be replaced under any installation of a Microsoft Windows product. I don't like the idea of a great program being lost on the wayside because companies are punished for including it alongside Microsoft products. I know that Microsoft purposely bundles its Internet browser with its operating system so that it could gain a monopoly in the browser market. It is not hard to imagine a future where Microsoft media player, instant messenger, mail program, and office software are the default standard, because they come pre-packaged, while other, better, more secure alternatives waste and fail because they are unable to compete with the defaults forced on companies by MS. I know quite a few people who know no other web browser, mail program, or office suite but Microsoft's.

That isn't competition, that is domination, monopoly, and suffocation. Are there better mail programs, that could be included by OEM's? Given the tremendous growth in mailing viruses, I think so. Are there better web browsers? Perhaps, but it may only be a matter of personal preference. Better office suites? Again, it may only be preference, but by price/usefulness there are many superior competitors that are unpopular merely because they are pushed away by Microsoft, or because Microsoft's programs are the default standard. Is Office a middleware product? The answer is yes, many programs run on top of Outlook, Word, and Access.

There are too many more problems to list here. A rewrite is in order, in my opinion, and a miscarriage of justice is possible. The PFJ is not even as strong at definitions as the Finding of Fact, the DOJ seems to have lessened its punishment of Microsoft, perhaps because of trying economic times. I say, do the right thing, punish the lawbreaker, and create competition. Good things might happen.

Joshua Smith